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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/529,533

04/19/2005

Pierre Fayet

FRR-16006

4554

40854 7590 03/26/2008

RANKIN, HILL & CLARK LLP

38210 Glenn Avenue

WILLOUGHBY, OH 44094-7808

EXAMINER

CHEN, KEATH T

ART UNIT

PAPER NUMBER

1792

MAIL DATE

DELIVERY MODE

03/26/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

1. The proposed After Final amendment, filed on 03/11/2008, will not be entered because it raises new issues for further consideration, such as new limitations of claim 1.

Response to Arguments

2. Applicants' arguments filed 03/11/2008 have been fully considered but they are not persuasive.

3. Applicants' arguments directed to the proposed new limitations are unconvincing because the proposed amendment has not been entered.

4. Applicants argue that Seeser et al. ('519), see the last two paragraphs of page 5 to the first paragraph of page 6, is not capable for PECVD '519; teaches a two step process; and states that single pass techniques are not relevant to its invention.

These arguments are found not persuasive.

The examiner noted that "reactive sputtering is a plasma CVD, col. 15, line 66 to col. 16, line 3" in the final action (mailed 01/11/2008, page 2, last two lines) as the sputtered species is a vaporized species which is subsequently deposited onto substrates. Furthermore, by supplying appropriate gas, a reactive gas plasma can be generated by the magnetron ion source of Fig. 6, 7, or 37A.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., one step PECVD) are not recited in the rejected claims. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

'519 anticipates single pass techniques although it is not relevant to '519's invention. "A reference is no less anticipatory if, after disclosing the invention, the reference then disparages it". See MPEP 2131.05.

5. Applicants argue that '519 only show a single power supply in an embodiment (Figs. 6, 7, 37A), see the last paragraph of page 6 to the top of page 7.

This is found not persuasive. '519 teaches the use of multiple stations (#28) of the embodiment of Figs. 6, 7, 37A in, for example, Figs. 8, 10, and 16, see also col. 8, lines 39-41 and col. 25, lines 11-42.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KEATH T. CHEN whose telephone number is (571)270-1870. The examiner can normally be reached on M-F, 8:30-5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Cleveland can be reached on 571-272-1418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1792

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/K. T. C./
Examiner, Art Unit 1792

/Michael Cleveland/
Supervisory Patent Examiner, Art Unit 1792